

**MINUTES OF THE
SOUTH OGDEN CITY COUNCIL MEETING
Tuesday, August 6, 2013– 6:00 p.m.
Council Chambers, City Hall**

COUNCIL MEMBERS PRESENT

Mayor Pro Tem Wayne Smith, Council Members Sallee Orr, Russell Porter, Bryan Benard and Brent Strate

EXCUSED

Mayor James F. Minster

STAFF MEMBERS PRESENT

City Manager Matthew Dixon, City Attorney Ken Bradshaw, Parks and Public Works Director Jon Andersen, Chief of Police Darin Parke, Fire Chief Cameron West, Information and Communication Systems Administrator Brian Minster, Good Landlord Coordinator Ben Robbins and Recorder Leesa Kapetanov

CITIZENS PRESENT

Jim Pearce, Lynn Mulhall, Steve Herrick, Bonnie Herrick

I. OPENING CEREMONY

A. Call to Order

Mayor Pro Tem Wayne Smith called the meeting to order at 6:01 p.m. He excused Mayor Minster and then asked for a motion to convene.

Council Member Orr moved to convene as the South Ogden City Council, seconded by Council Member Porter. Council Members Orr, Strate, Benard, Smith and Porter all voted aye.

B. Prayer/Moment of Silence

Mayor Pro Tem Smith led those present in a moment of silence.

C. Pledge of Allegiance

Council Member Benard directed everyone in the Pledge of Allegiance.

II. PUBLIC COMMENTS

A. Recognition of Scouts/Students

The mayor pro tem invited any scouts or students to come forward. Samuel and Lou

Mulhall, who were attending the meeting with their parents, came forward and were given a South Ogden City pin by Council Member Benard.

Mayor Pro Tem Smith asked if anyone else with comments concerning items not on the agenda would like to come forward. There were no comments from the public.

III. CONSENT AGENDA

- A. Approval of the May 28, 2013 Budget Work Session Minutes**
- B. Approval of the July 16, 2013 Council Minutes**
- C. Approval of July Warrants Register**
- D. Ratify Bid Award to Leon Poulsen Construction for 2013 Water Line Project**
- E. Award Bid for 1550 East Road Project**
- F. Award Bid for Glasmann Road Project**
- G. Award Bid to Steve & Bonnie Herrick for Surplus Property Located at Approximately 950 E 5050 S**

Mayor Pro Tem Smith read through the first item on the consent agenda and asked if there were any questions or corrections. Council Member Orr said she had found an error on line 49, although she was unable to find the error again. City Attorney Bradshaw suggested the minutes be approved with the wording of the motion being "the verb change previously discussed".

The mayor pro tem continued reading through the consent agenda items. City Manager Dixon informed the council the bid for the 1550 East Road Project had been awarded to Advanced Paving for \$157,865 and the bid for the Glasmann Way Road Project had been awarded to Granite Construction for \$309,008. He also said the Water Line Bid awarded to Leon Poulsen Construction was for the amount of \$289,802. City Attorney Bradshaw informed the council the bid awarded to the Herricks was for \$101 over the city's appraised value of the property.

There was no further discussion on the consent agenda items, so Mayor Pro Tem Smith called for a motion.

Council Member Porter moved to approve the consent agenda, changing the verbiage in item A, awarding the bid in item E to Advanced Paving, and awarding the bid in item F to Granite Construction. Council Member Strate seconded the motion. The mayor pro tem then made a roll call vote:

Council Member Porter-	Yes
Council Member Strate-	Yes
Council Member Benard-	Yes
Council Member Orr-	Yes
Mayor Pro Tem Smith-	Yes

The consent agenda was approved.

IV. PRESENTATION

- A. John Pohlman from Wazitech – Network Security**

Mr. Pohlman was not present at the meeting. Information and Communication Systems Administrator Brian Minster explained that Wazitech was a company he had been talking to about network security. They planned to present information on how

to make the city's networks more secure. The company would actually try to hack into the city's networks to find its vulnerabilities. They would then help the city to strengthen the weaknesses. The Wazitech representative was going to speak about social engineering; how by just casually talking to a person, hackers can find out enough about that person to guess his or her passwords. Mr. Minster hoped to reschedule the presentation.

V. DISCUSSION/ACTION ITEMS

A. Discussion on Business License Fees

City Manager Dixon explained the good landlord program fees needed to be changed from duplex, tri-plex, etc., to units in order to make the fees work with landlords who had multiple type buildings. Good Landlord Program Coordinator Ben Robbins explained how the fees had been simplified to make them easier to understand. The council had no questions concerning the Good Landlord Program fees.

City Manager Dixon then began the discussion on business license fees by reminding the council of their previous discussions on license fees. He pointed out to the council that some fees had to be reduced, as indicated by the business license fee study, and the council had allowed staff to look at ways to bring license fees to revenue neutral to make up for the lost funds. Mr. Dixon turned the time to Mr. Robbins to explain the methodology staff had used to come up with the license fee proposals.

Mr. Robbins explained the city would have to make up approximately \$21,000 in license fees. Staff had looked at those business categories which paid the smallest percentage of the cost they were to the city, and brought their fees up closer to the average of 27%; this would make things fairer for all business types throughout the city. Staff had shown two options in the packet, one showing license fees for businesses paying under 15% of their costs and the other option showing fees for businesses paying under 20%. City Manager Dixon remarked it made the most sense to recoup some of the lost revenue from those business types who were paying the least amount of their cost to the city. The question was where to draw the line.

Council Member Benard commented he preferred option 2; however he was very concerned with some of the large increases in some of the fees. He suggested the increases be phased over a three or more year period. He felt it would be better to take a loss of revenue and have better relationships with the businesses than to make the change all at once and lose their good will. City Manager Dixon asked if Council Member Benard would rather spread the cost to all business types, rather than to just do a few. Mr. Benard said he preferred the way staff had proposed; it was more equitable.

Council Member Strate said he was not sure he could accept the premise of the business license fee study. He did not agree with how the study was done nor the fact that the costs should be passed on to the businesses. His initial feeling was he did not want to increase the business license fees at all.

Council Member Orr commented she thought the proposed increases were fair. She also agreed with the license fees that were going to be decreased, especially the cosmetology license. She said perhaps the cost percentage could even be reduced lower than 21%, but she did feel it was fairer to all the businesses that those paying the least percentage be increased.

Council Member Porter stated he was in favor of option 2, however he suggested that the increases be capped at 40% or 50%.

Mayor Pro Tem Smith said he aligned somewhat with Council Member Strate. He wondered why the city had to recoup what it perceived it was losing through lowering some of the business fees. He said if he were to agree to increase anybody's fees, it

would have to be a very small increase. However, he was also not in favor of the city buying off a lot of services that it was not being reimbursed for. City Attorney Ken Bradshaw explained the state legislature had determined how business license fees should be calculated and that the fees could not be revenue generators, but only cover the costs of city services provided to the businesses. Based on the legislature's criteria, license fees usually go up when a study is done. City Manager Dixon reminded the council that if some fees did not go up, there would be \$21,000 less in the budget that would somehow have to be made up. The council discussed business license fees further. They tried to come to a consensus as to if and how any of the fees should be increased. Mayor Pro Tem Smith felt the council needed more time to consider the implications and come up with a consensus of what they wanted to do. Attorney Ken Bradshaw advised them they could still pass Ordinance 13-18 with the good landlord program fees only. That would allow them to come back at the next meeting to discuss the business license fees again.

B. Consideration of Ordinance 13-18 – Amending the City Code and Consolidated Fee Schedule for Good Landlord Program and Business License Fees

Mayor Pro Tem Smith called for a motion concerning Ordinance 13-18.

Council Member Porter moved to adopt Ordinance 13-18, amending the city code and consolidated fee schedule for the good landlord program, without the business license fees. The motion was seconded by Council Member Strate. The mayor pro tem called for further discussion, if any. Council Member Benard asked if section II of the ordinance, dealing with business licensing, needed to be removed. City Attorney Bradshaw said he felt it could be left as it dealt with changes from the legislature that would not affect the fee schedule. There was no more discussion. **Mayor Pro Tem Smith called the vote:**

Council Member Porter -	Yes
Council Member Strate -	Yes
Council Member Benard -	Yes
Council Member Orr -	Yes
Mayor Pro Tem Smith -	Yes

The motion carried.

C. Consideration of Resolution 13-25 – Approving Interlocal Agreement for UPDES General Permit

City Manager Dixon explained the Interlocal agreement was in response to more stringent requirements the federal government had put on storm water management. The interlocal agreement formed a coalition which would help all of the cities in the county remain compliant. Staff had had their questions and concerns answered and recommended approval of the resolution.

Council Member Orr asked how the members of the coalition were chosen. Parks and Public Works Director Jon Andersen answered each city sent a representative, usually an employee who was certified in storm water management.

The mayor pro tem called for a motion concerning the resolution.

Council Member Benard moved to adopt Resolution 13-25, approving an interlocal agreement for UPDES General Permit, with a second from Council Member Orr. Mayor Pro Tem Smith called for further discussion, and seeing none, called the vote:

Council Member Benard-	Yes
Council Member Orr-	Yes
Council Member Porter-	Yes
Council Member Strate-	Yes
Mayor Pro Tem Smith-	Yes

Resolution 13-25 was adopted.

VI. DEPARTMENT DIRECTOR REPORTS

A. Parks and Public Works Director Jon Andersen - Project Updates

Mr. Andersen thanked the council for awarding the bids on that evening's agenda. He said it would allow staff to move forward and get the projects done in the current construction season. He then reported on several projects:

Street Light Replacement – all the lights should be replaced by the end of the month. After they were completed, an analysis would be sent into Rocky Mountain Power. This would allow Rocky Mountain Power to decrease the city's rates.

5100 South Road Project – The concrete and storm drain portions of the project were well on their way. Unfortunately, they had found some utilities under the road that were not supposed to be there and had been delayed in trying to deal with them.

Doren Drive Water Line Project – the council had ratified the bid award and the next step would be a pre-construction meeting with the contractor.

Amphitheater- the ribbon cutting ceremony for the amphitheater would be held on the upcoming Thursday at 9 am.

Glasmann Way and 1550 South Road Projects – staff would move forward as quickly as possible on these projects to get them completed in the current construction season.

Quarterly Report for Building Official – Mr. Andersen reminded the council one of the strategic plan goals had been proactive enforcement of illegal rental units. He explained that now the good landlord program had begun, Jeff Barfuss, the building official, would be checking each application for compliance. This would help weed out those rentals that were non-compliant.

VII. REPORTS

A. **Mayor Pro Tem** – said he was glad the sprinklers were in, but he was concerned that some of the heads were set down low in the grass. They had already had some sprained ankles and injuries during football practice due to kids stepping in the holes. He asked Mr. Andersen to look at them.

B. **City Council Members**

Council Member Orr – said the weeds along the 44th Street Bridge seemed to be high and needed to be cut.

Council Member Porter – nothing to report.

Council Member Strate – had noticed more patrol by animal control looking for off-leash dogs at Nature Park. He had also noticed a decrease in off-leash animals at the park because of the increased patrol. He also reported that motorized vehicles, like four wheelers, had been brought into the park. He wondered if more signs should be posted or if there was some way to handle the problem.

Council Member Benard – had not been able to report on South Ogden Days until now. He felt they had been very successful and wanted to thank staff for their hard work. He then reported on a house on Burch Creek Drive that had garbage bags all over the property from weeds that had been cut down. He concluded his report by saying how excited he was that the amphitheater was now officially done and open.

- C. **City Manager** – informed the council of training on August 13, 2013 in the EOC. The topic would be “Work/Life Balance”. August 15, 2013 there would be an emergency table top exercise at 4 pm. He asked members of the council to RSVP for the exercise. August 27, 2013 would be a picnic for the Communities That Care Program. It would be held at Rohmer Park. Mr. Dixon concluded his report by informing the council there would be a discussion at the next meeting on South Ogden Days, and they should come prepared to give input.

- D. **City Attorney Ken Bradshaw** – nothing to report.

Fire Chief Cameron West then handed out some forms to the council, asking them to fill them out so they could become NIMS compliant. This was also part of the strategic goals.

VIII. ADJOURN CITY COUNCIL MEETING AND CONVENE INTO AN EXECUTIVE SESSION

- A. Pursuant to UCA §52-4-205 1(a) to discuss the character, professional competence, or physical or mental health of an individual.

Mayor Pro Tem Smith advised the council this item would be rescheduled to another meeting when the mayor could attend. He then called for a motion to adjourn city council meeting and convene into a work session.

At 7:27 pm, Council Member Benard moved to adjourn city council meeting and convene into a combined work session with the planning commission. The motion was seconded by Council Member Porter. Council Members Strate, Orr, Porter, and Benard all voted aye.

Members of the council and staff then moved to the EOC to join the planning commission for the work session.

Those present at the work session were: Mayor Pro Tem Wayne Smith, Council Members Russell Porter, Sallee Orr, Bryan Benard and Brent Strate; Planning Commissioners Dax Gurr, Shannon Sebahar, Todd Heslop and Chris Hansen; City Manager Matt Dixon, Parks and Public Works Director Jon Andersen, Good Landlord Program Coordinator Ben Robbins, and Recorder Leesa Kapetanov.

IX. ADJOURN CITY COUNCIL MEETING AND CONVENE INTO A COMBINED WORK SESSION WITH THE PLANNING COMMISSION

A. Discussion on 40th Street Design

Mayor Pro Tem Smith turned the time to City Manager Dixon. Mr. Dixon welcomed the planning commission members to the work session. He gave an update on the 40th Street Project, saying the environmental report had been completed for some time, but was still waiting for approval from the Federal Highways Commission. In anticipation of the project being approved, City Planner Mark Vlasic had put together some conceptual design ideas. Mr. Dixon informed everyone the city had applied for a grant through WACOG to help pay for the project, and felt they had a good chance at getting some financial help. The grant would allow the city to make the design something special.

City Manager Dixon turned the time to Planner Mark Vlasic for his presentation. Mr. Vlasic began the discussion on the transportation plan first.

B. Discussion on Bike/Alternative Transportation Plan

Mr. Vlasic handed the council a packet of information (see Attachment A) and explained the three classifications of bicycle lanes and their differences. He also showed how South Ogden fit into the Wasatch Front Regional Council's plan for bike routes.

The city had only one dedicated bike route, but otherwise was a blank slate. He suggested that any bike routes we have tie in with Wasatch Front Regional Council's plan, as well as serve the neighborhoods within South Ogden.

Mr. Vlasic recommended a bicycle route master plan be created and make it an amendment to the master plan. He said having a bicycle route plan would make it easier to get grant funding for the routes. He asked the council for direction as to whether a bicycle route master plan should be created, and then whether other forms of transportation, such as longboards and scooters, should be allowed as well. Some cities sanctioned these other types of transportation and some didn't.

Council Member Smith said he felt the city should amend the master plan to include the bike routes; however, he also wanted to look at surrounding communities to make sure our bike routes also tied in with theirs.

The council discussed different aspects of the bike routes, and agreed that a bike route master plan should be created. Council Member Smith also suggested that avid bike riders in the community as well as the Bike Shoppe be included in a committee to help plan the bike routes. He suggested that Officer Trent Olsen be involved as well.

Mr. Vlasic then began the discussion on 40th Street.

He used slides in his presentation to show the different design ideas (see Attachment B). He reminded the council that the 84 foot right of way had been chosen; this would allow plenty of space for a planted median as well as sidewalks and trees on the sides. Mr. Vlasic showed the council some drawings of a continuous median with only three turn lanes and one with turn lanes at every street intersection. Horrocks Engineers said the

continuous median would be preferred from a traffic engineering point of view, but it could become a public relations issue with the nearby residents.

Mr. Vlasic then showed the council six different ideas for the design of 40th Street. The different illustrations made variations on sidewalk widths, park strip widths, and different ways to treat the median. He also showed some suggestions of signage that might be used with the new branding the city was working toward. Mr. Vlasic asked the council to give staff direction of what they wanted from the alternatives shown.

The council first discussed the continuous median versus the more broken up version. They concluded they would like the continuous but with one more break; there should be a break at Adams, Jefferson, Madison and perhaps Monroe.

Mr. Vlasic then asked for direction as far as the sidewalks, trees and median. The council discussed the different options. The council favored the option with wider sidewalks, the trees in grates, and a median with trees and artwork. Council Member Smith said the design needed to include watering system for the trees, as well as power, so the city could decorate them for holidays and special events. Council Member Porter commented that trees on the sides of the road would be good barrier between the homeowners and the street, but there should not be so many trees in the median.

Next the council discussed the signage for the city. They were happy with the suggestions given by Mr. Vlasic, who said they may change them slightly as these particular suggestions had been used in another city.

The council then talked about the process of acquiring the properties along 40th Street. A variety of aspects of obtaining the properties was discussed, including ways to buy and package properties for development. Creating a redevelopment project area was also mentioned. There was no more discussion on 40th Street.

Mayor Pro Tem Smith called for motion to adjourn.

At 9:12 p.m., Council Member Orr moved to adjourn, followed by a second from Council Member Porter. Council Members Benard, Strate, Porter, Smith and Orr all voted aye. The meeting was adjourned.

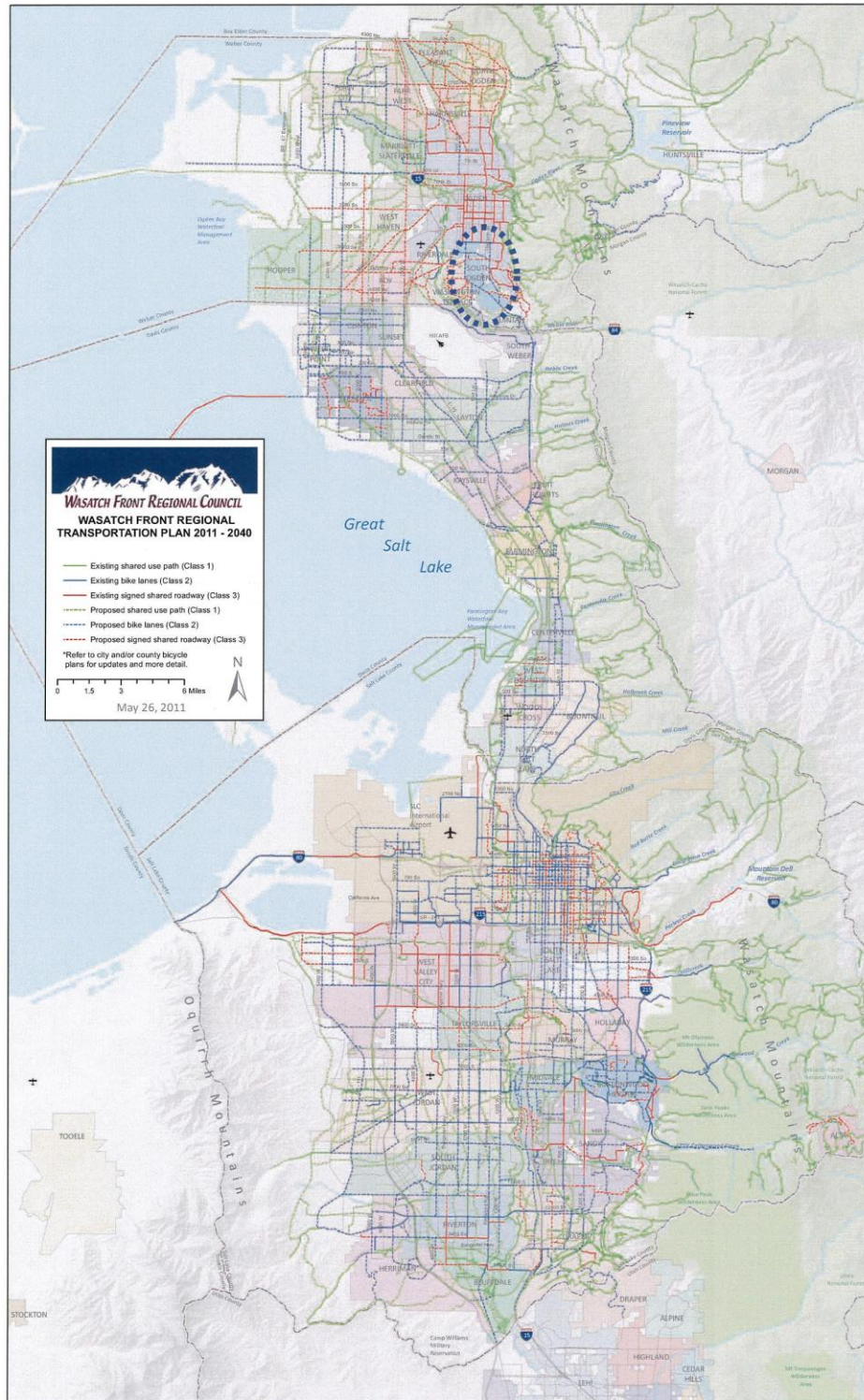
I hereby certify that the foregoing is a true, accurate and complete record of the South Ogden City Council Meeting held Tuesday, August 6, 2013.

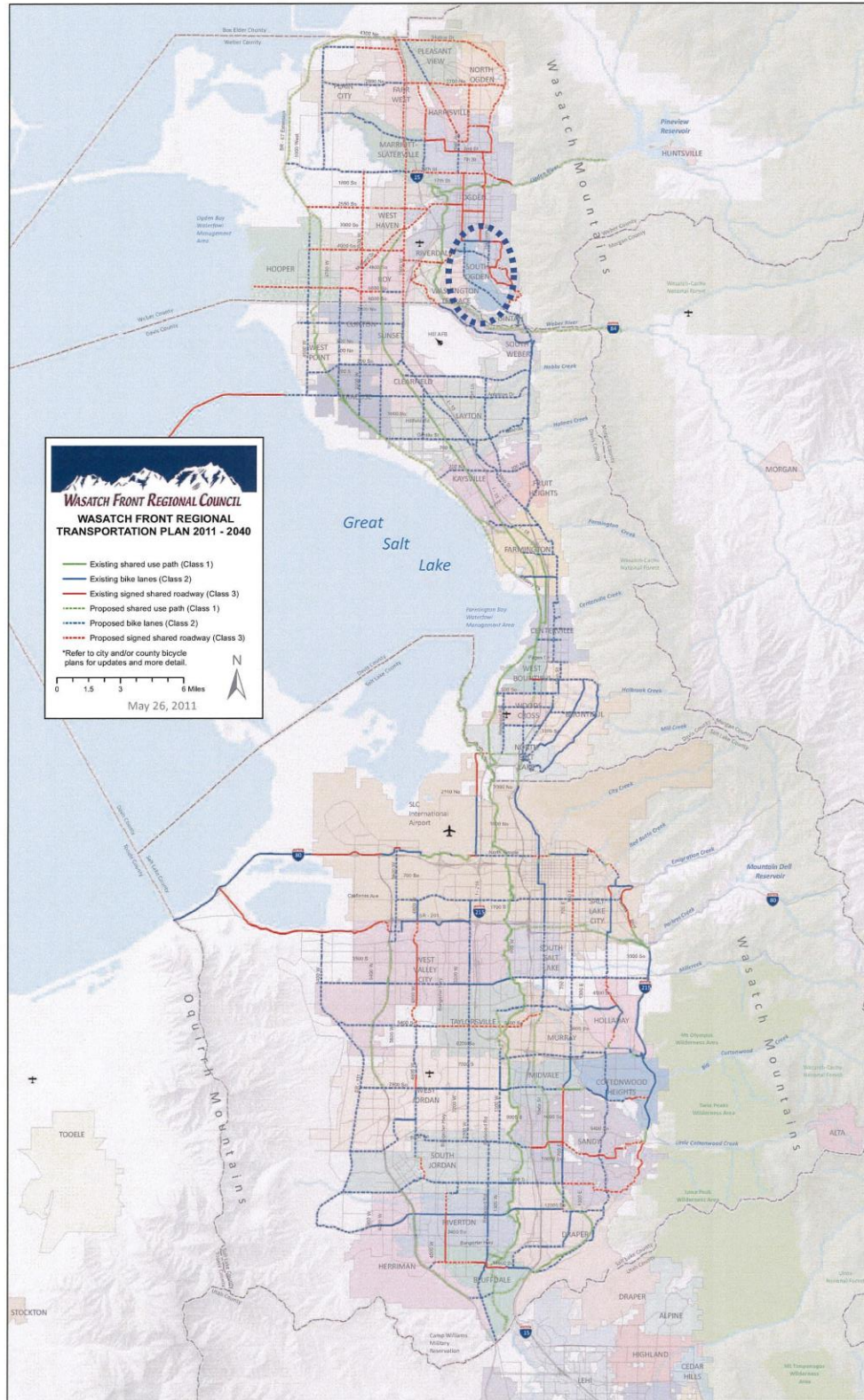

Leesa Kapetanov, City Recorder

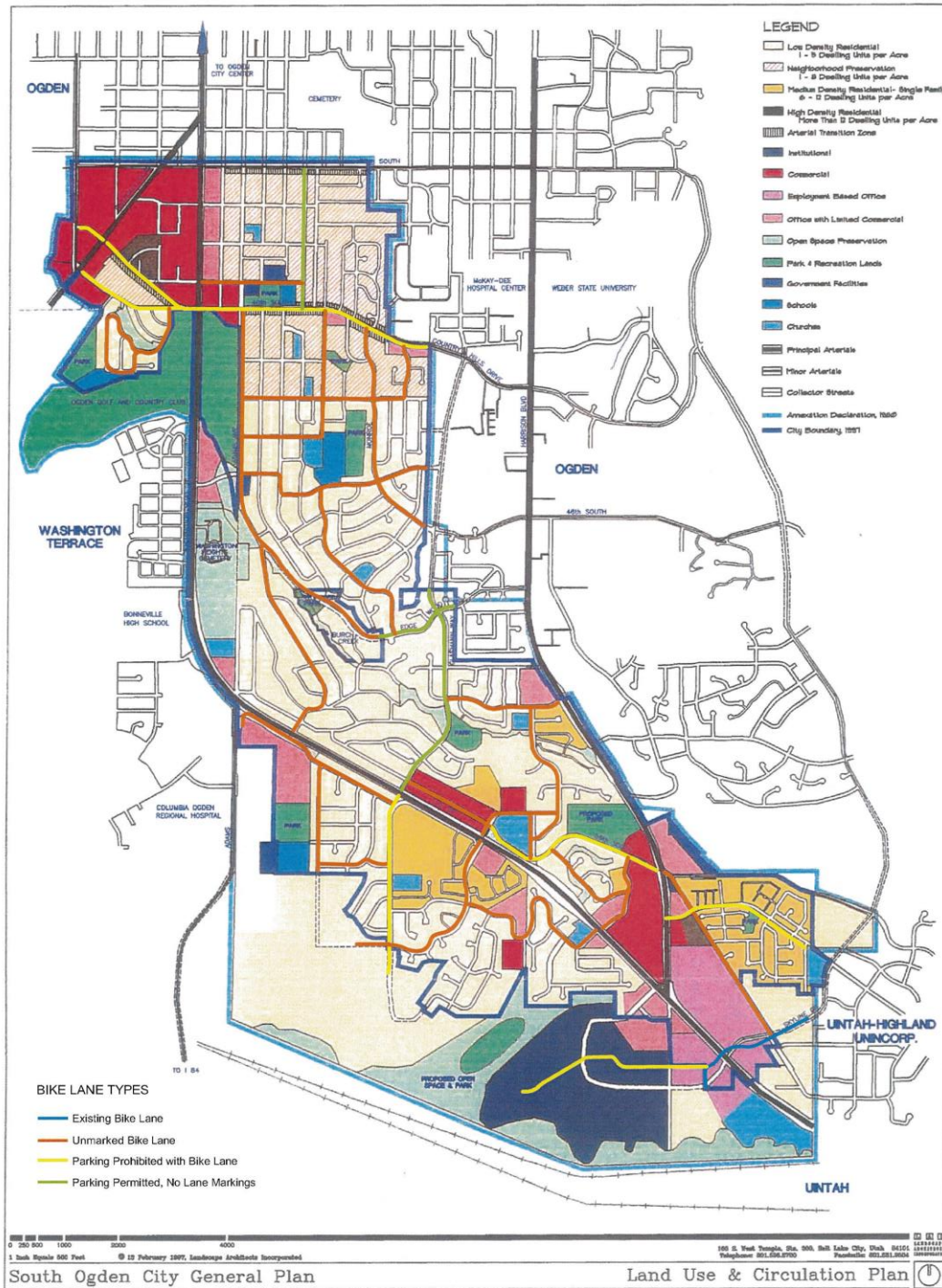
Date Approved by the City Council August 20, 2013

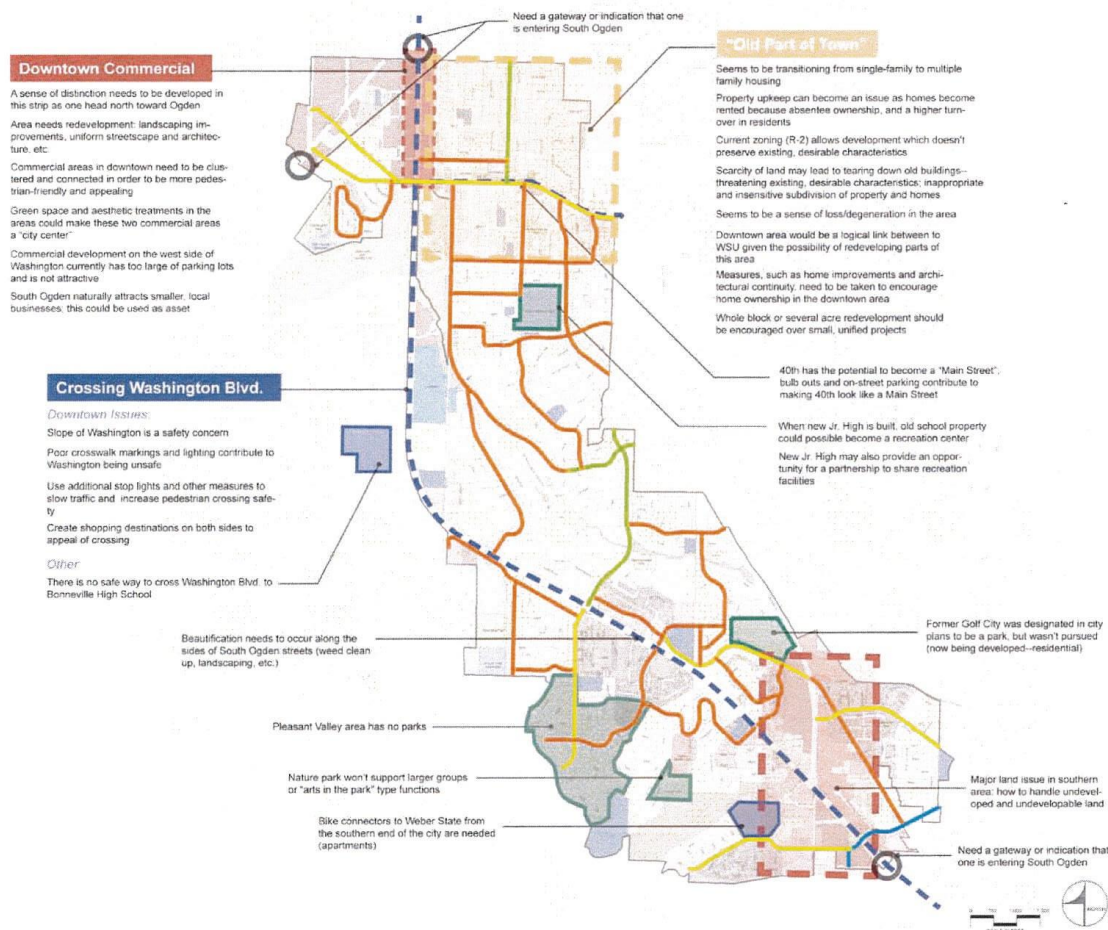
Attachment A

Bike Route Handout









Key Issues

Map 2-3

Other issues (non-geographically specific):

City Identity

Some residents are concerned that the value of homes will drop as more multi-family housing arrives in their neighborhoods

Commercial

People often travel through South Ogden rather than stopping; when they do stop they don't know they are shopping in South Ogden

Parks, Recreation, & the Arts

South Ogden doesn't have parks, programs, and arts events (residents go to other cities for such activities)

There are currently not enough soccer fields

South Ogden needs activities and recreational opportunities for the aging population

Streets, Streetscapes, & Bike Paths

There currently is not a good bike trail system

City Identity

South Ogden currently does not have a "Main Street"

Creating a sense of distinction from its neighboring cities is critical

The community needs a "heart"

The citizens of South Ogden are missing opportunities, places, and events to connect with each other

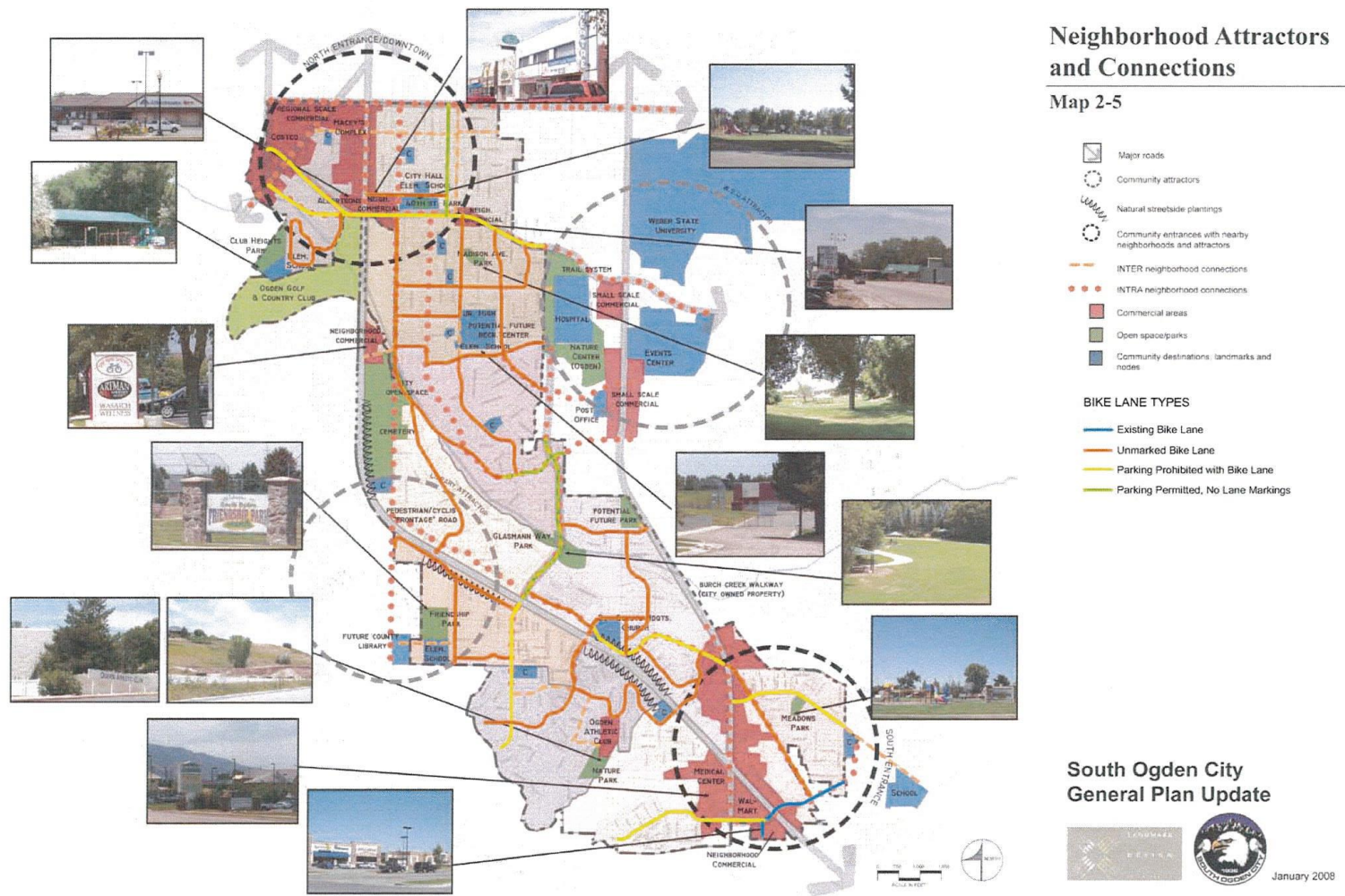
BIKE LANE TYPES

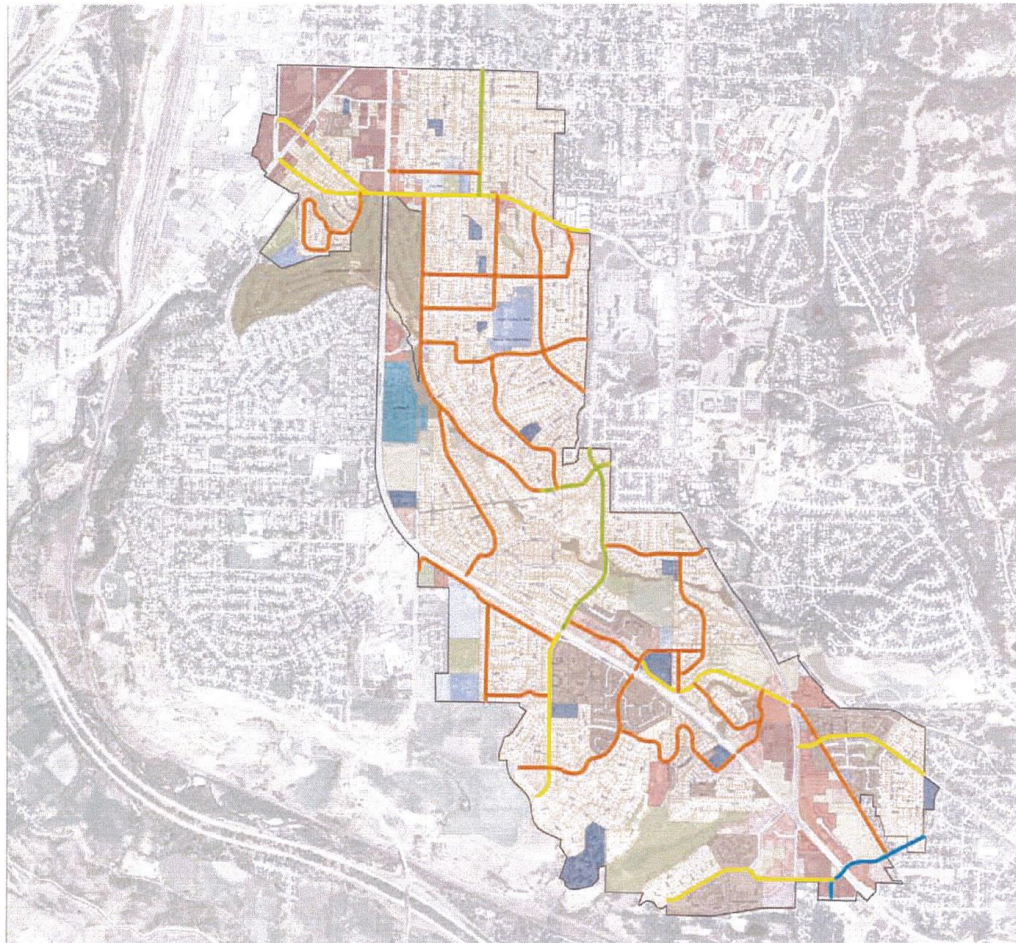
- Existing Bike Lane
- Unmarked Bike Lane
- Parking Prohibited with Bike Lane
- Parking Permitted, No Lane Markings

South Ogden City General Plan Update



January 2008





Existing Land Use

Map 2-1

- Single Family Residential
- Multiple Family Residential
- Regional Commercial
- Neighborhood Commercial
- Office
- Medical Office
- Public
- Schools
- Religious
- Vacant/Private Open Space
- Parks
- Open Space/Golf Course
- Cemetery
- Light Industrial
- Utilities

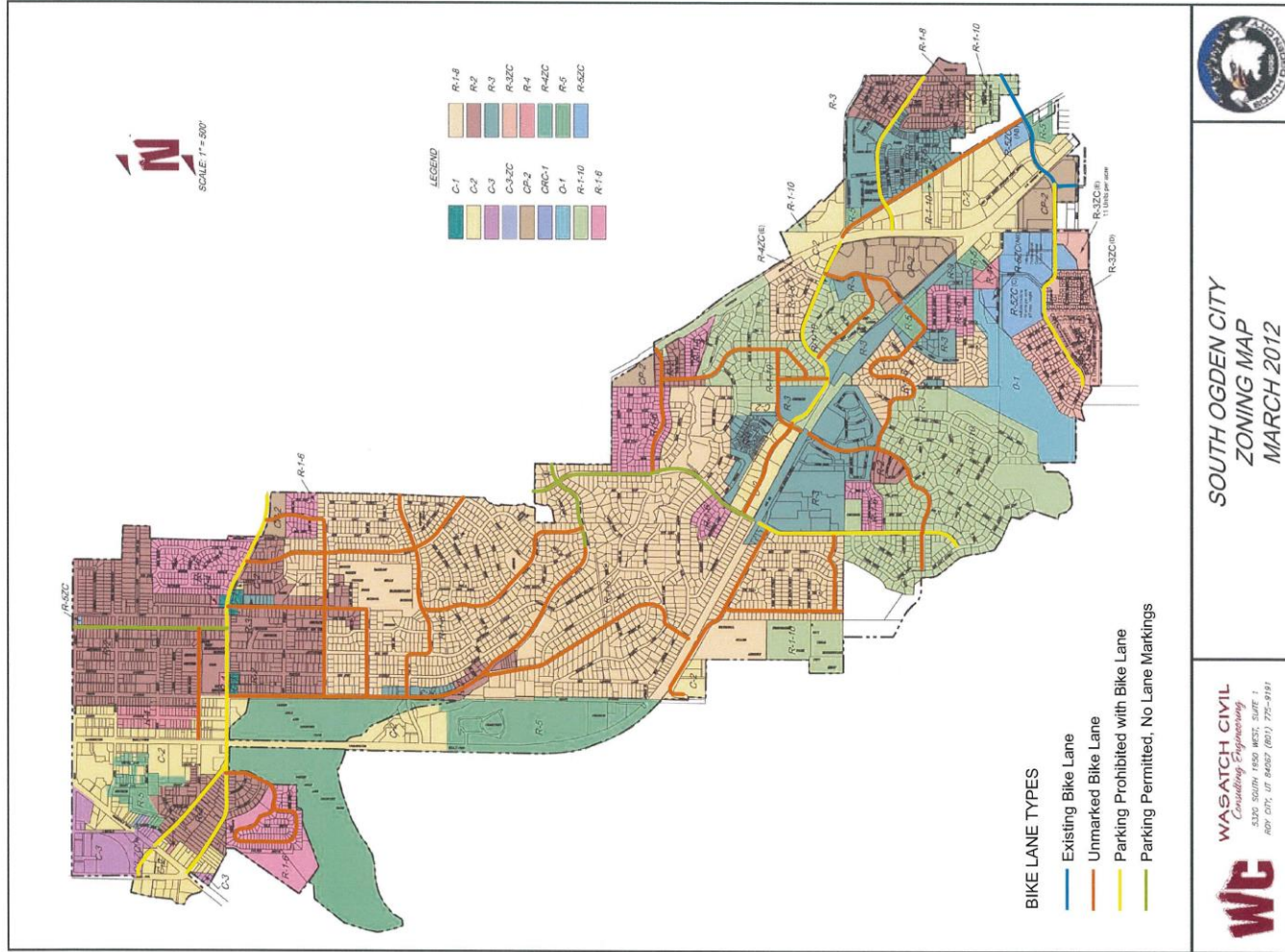
BIKE LANE TYPES

- Existing Bike Lane
- Unmarked Bike Lane
- Parking Prohibited with Bike Lane
- Parking Permitted, No Lane Markings

South Ogden City General Plan Update



January 2008



Bicycle Lane Types/ Classes

Class I

Fully-separated Bike Lane/Path



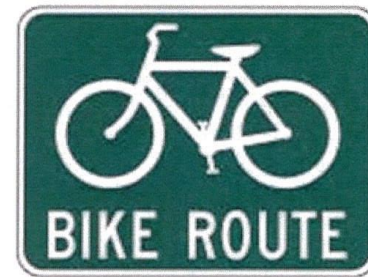
Class II

Dedicated Bike Lane



Class III

Shared Lane and/or Signed Lane



Attachment B

40th Street Designs

SOUTH 40TH STREET - PLAN OVERVIEW



PURPOSE

- TO ADDRESS THE CURRENT AND PROJECTED TRAVEL DEMAND ON 40TH STREET IN ORDER TO IMPROVE FUTURE TRAFFIC FLOW.
- TO CREATE A SIGNATURE BOULEVARD FOR SOUTH OGDEN.

SCOPE

40TH STREET IS A MAJOR EAST-WEST TRANSPORTATION CORRIDOR THROUGH SOUTH OGDEN CITY THAT PROVIDES ACCESS TO MCKAY-DEE HOSPITAL AND WEBER STATE UNIVERSITY.

METHOD

THE PROPOSED IMPROVEMENTS WOULD INCLUDE WIDENING 40TH STREET FROM A 3 LANE SECTION TO A 5 LANE SECTION (2 TRAVEL LANES IN EACH DIRECTION, MEDIAN, CURB AND GUTTER, AND SIDEWALK

INTERSECTIONS ALONG 40TH SOUTH

WASHINGTON BLVD

ODGEN AVE
ADAMS AVE
PORTER AVE
JEFFERSON AVE
ORCHARD AVE
COUNTRY RD
MADISON AVE
RAYMOND AVE
LIBERTY AVE
NORDIN AVE
MONROE BLVD
EVELYN DR
GRANDVIEW DR
900 E ST
ECCLES AVE

GRAMERCY AVE

STATS

AREA OF FOCUS - 40TH STREET, FROM WASHINGTON BOULEVARD TO GRAMERCY AVENUE IN SOUTH OGDEN, UTAH

HISTORICAL RESIDENCES - 24
HISTORICAL APARTMENTS - 1

ROAD EXPANSION LENGTH - 4065' (.8 MILES)

RESIDENCES TO BE RELOCATED - 4
BUSINESSES TO BE RELOCATED - 1

NEW TRAFFIC LANES - 2

NEW RIGHT-OF-WAY - 0.9 ACRES FROM 48 PARCELS

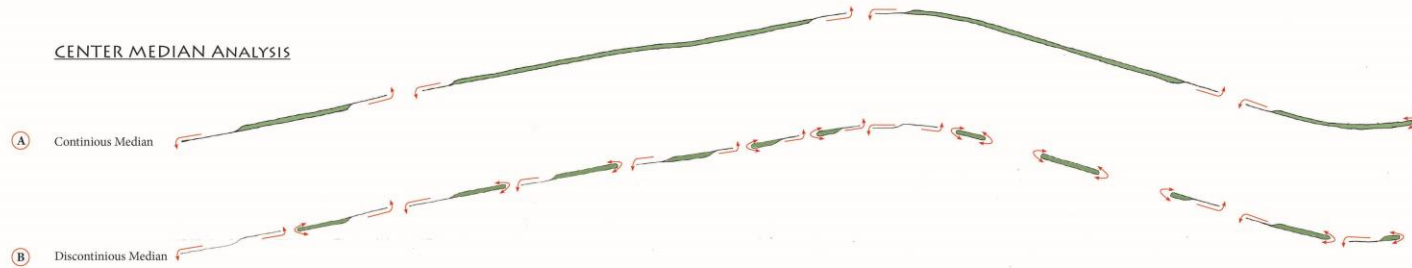
REGIONAL CONTEXT



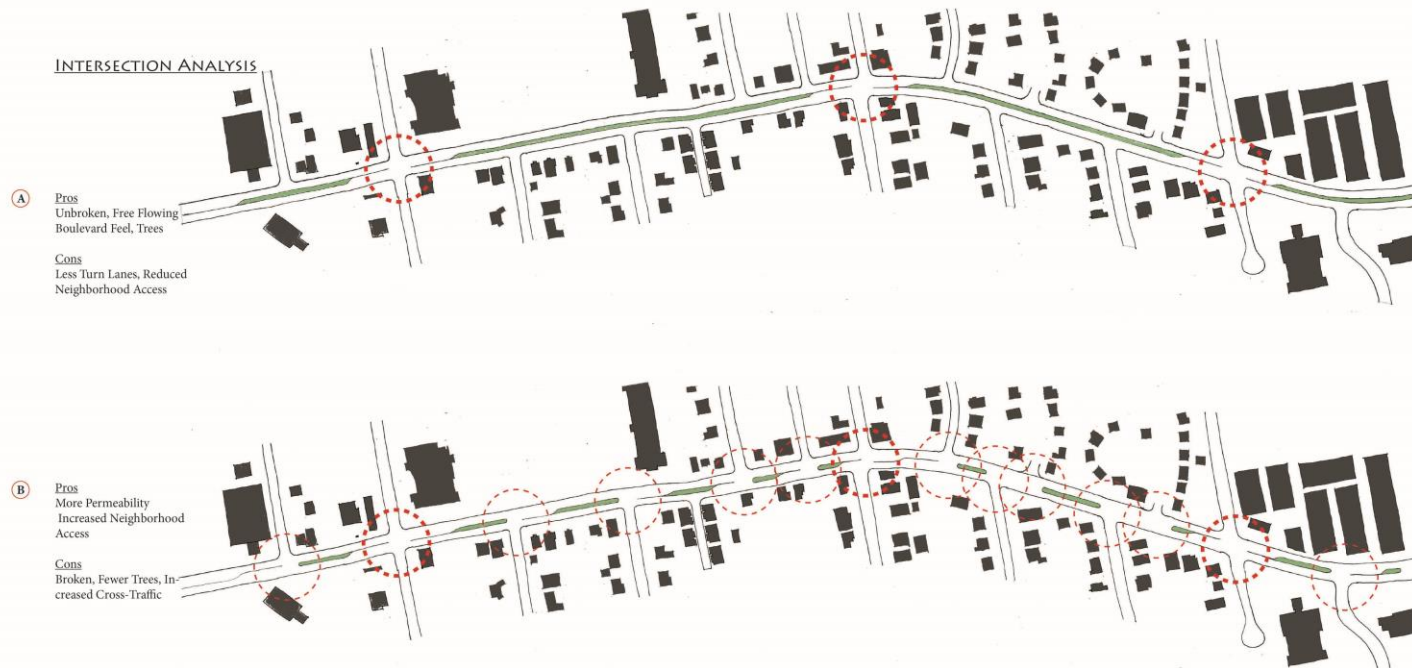
AUG 6, 2013

SOUTH 40TH STREET - MEDIAN STRATEGIES

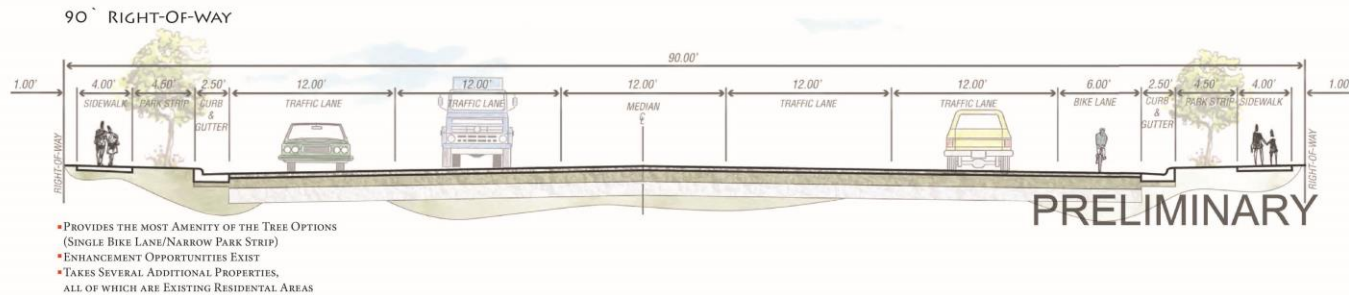
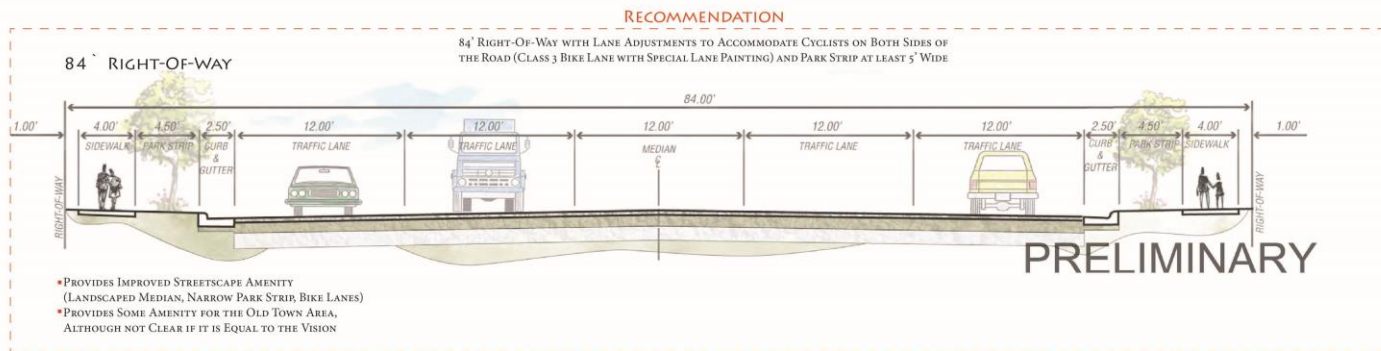
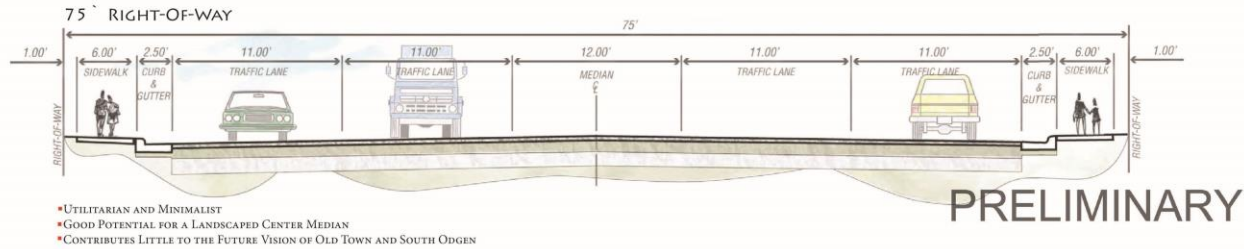
CENTER MEDIAN ANALYSIS



INTERSECTION ANALYSIS

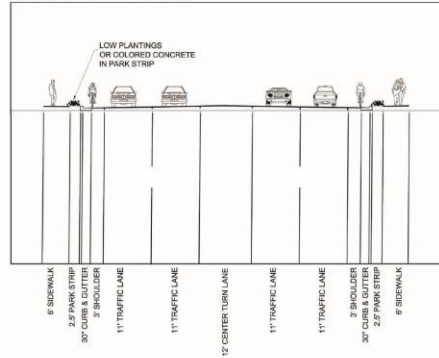


SOUTH 40TH STREET - STREET DIMENSION COMPARISON

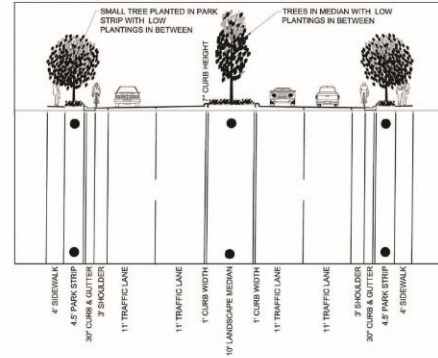


SOUTH 40TH STREET - SECTIONS AND PLAN

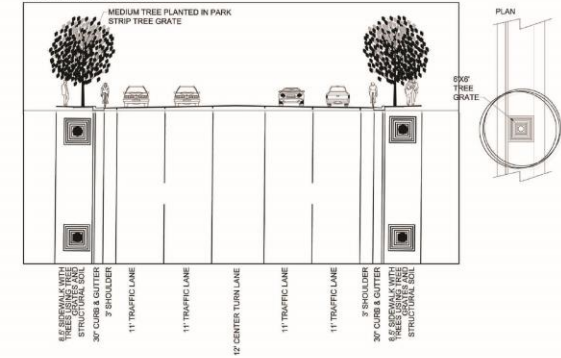
CENTER TURN LANE CONCEPT



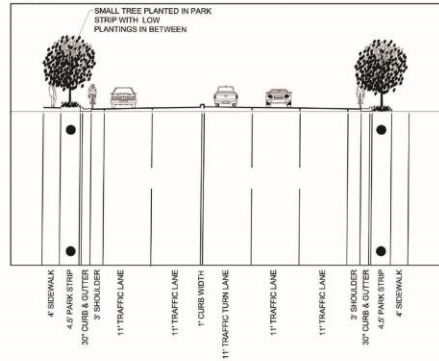
BOLUEVARD CONCEPT



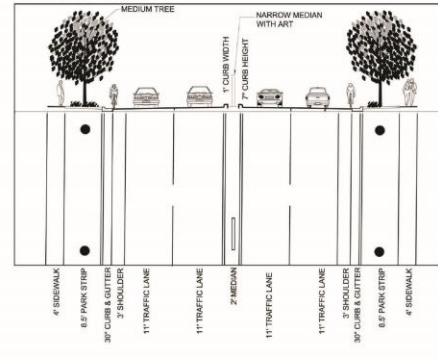
TREE GRATE CONCEPT



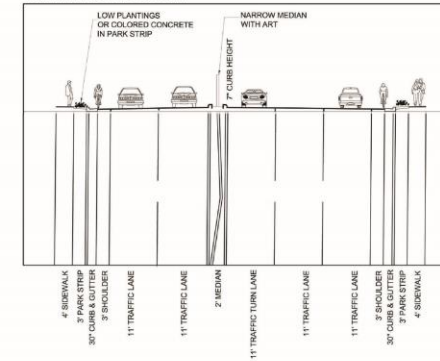
CENTER CURB CONCEPT



ART MEDIAN CONCEPT



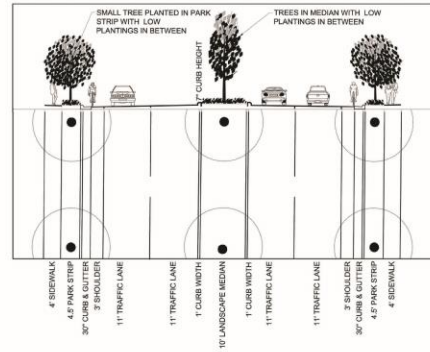
CENTER MEDIAN CONCEPT



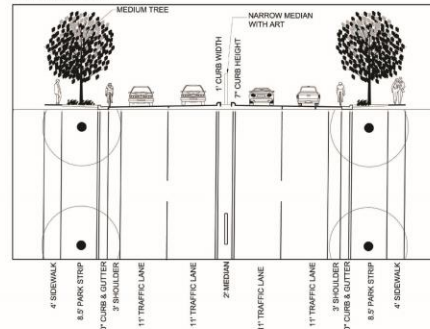
AUG 6, 2013

SOUTH 40TH STREET SECTIONS AND PLAN ALTERNATIVES

BOLIVARD CONCEPT



ART MEDIAN CONCEPT

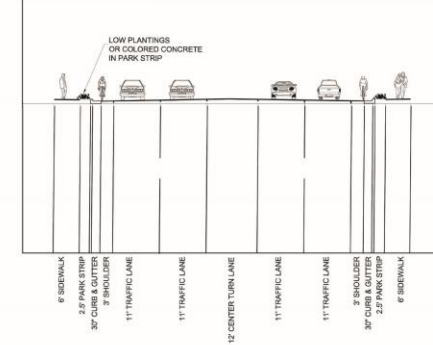


AUG 6, 2013

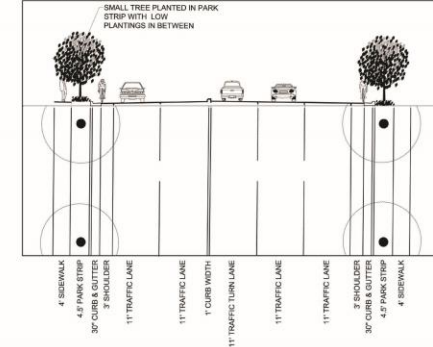


SOUTH 40TH STREET SECTIONS AND PLAN ALTERNATIVES

CENTER TURN LANE CONCEPT



CENTER CURB CONCEPT

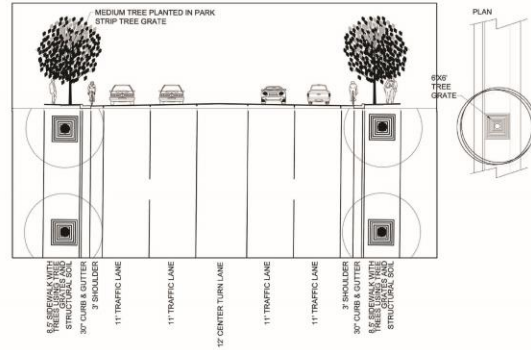


AUG 6, 2013

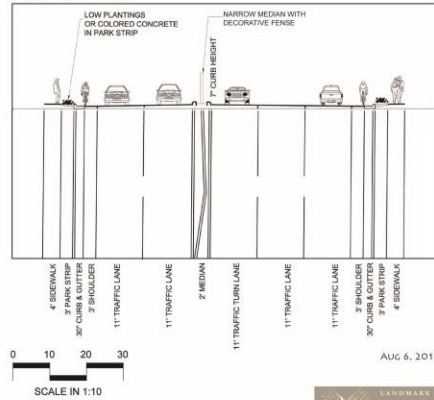


SOUTH 40TH STREET SECTIONS AND PLAN ALTERNATIVES

TREE GRATE CONCEPT



CENTER MEDIAN CONCEPT



AUG 6, 2013



SOUTH 40TH STREET - STREET CONFIGURATION

CENTER TURN LANE CONCEPT



TREE GRATE CONCEPT



CENTER CURB CONCEPT



SOUTH 40TH STREET - STREET CONFIGURATION

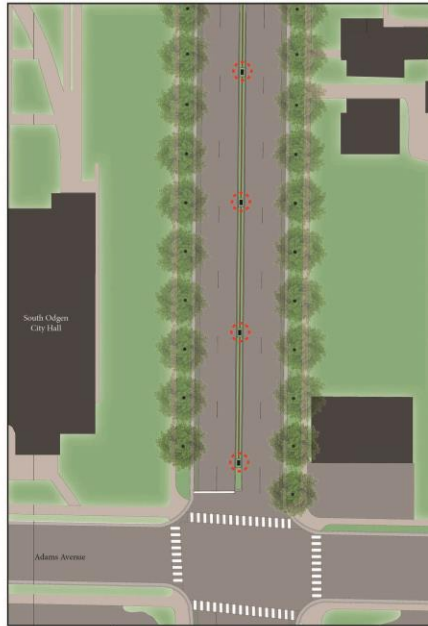
BOULEVARD CONCEPT



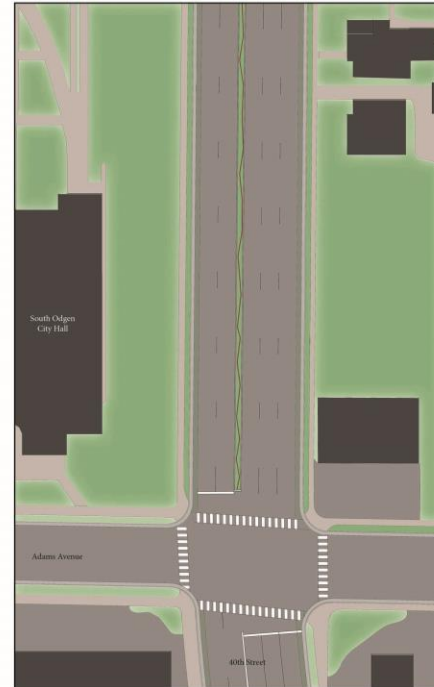
ART MEDIAN CONCEPT



CENTER MEDIAN WITH DECORATIVE FENCE



SCULPTURE CONCEPTS



AUG 6, 2013

CENTER TURN LANE CONCEPT

1



TREE GRATE CONCEPT

2



BOULEVARD CONCEPT

3



CENTER CURB CONCEPT

4



ART MEDIAN CONCEPT

5



SCULPTURE CONCEPTS

CENTER MEDIAN WITH DECORATIVE FENCE

6

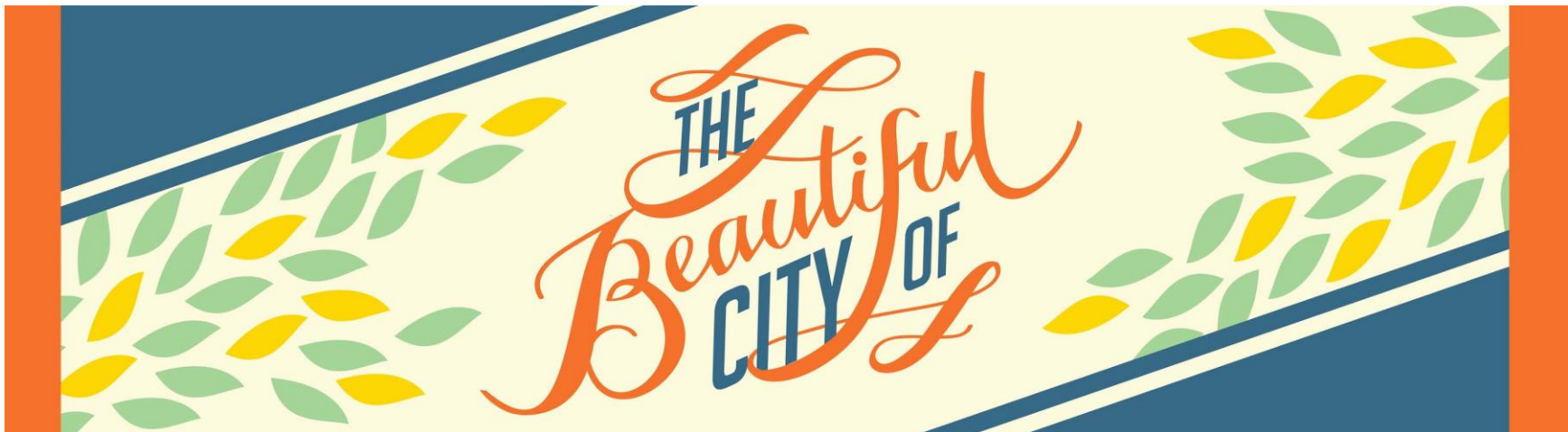


SCALE IN 1:20



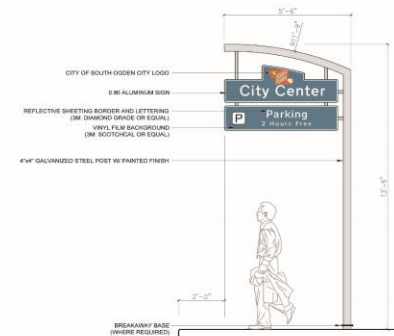
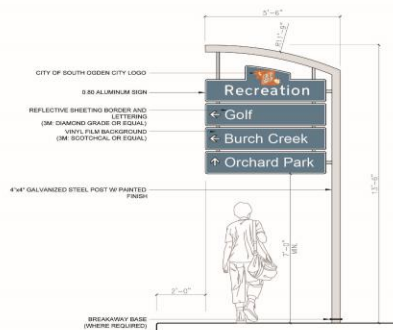
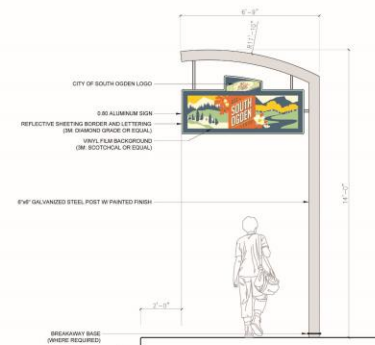
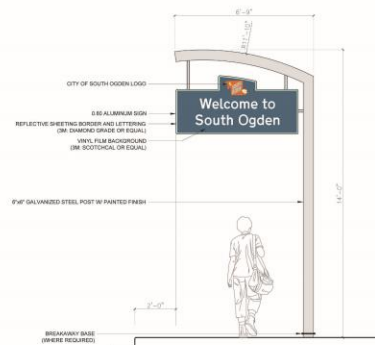








SOUTH 40TH STREET - WAYFINDING SIGNS







SOUTH 40TH STREET & ADAMS AVENUE CONCEPT



EXISTING



CONCEPT

40th Street Land Use & Urban Design Concept

Design Vision: Walkable Neighborhood Center @ Intersections with
Madison Avenue & Adams Avenue

